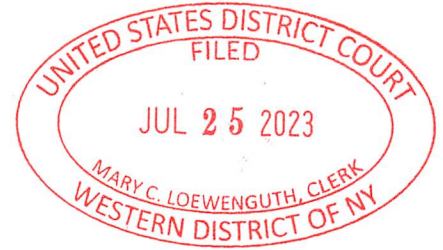


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA,

v.

19-CR-227-JLS

JOSEPH BONGIOVANNI,
PETER GERACE, JR.,

Defendants.

UNITED STATES OF AMERICA,

v.

23-CR-37-JLS-MJR

PETER GERACE, JR.,

Defendant

SPEEDY TRIAL ORDER

(June 30, 2023 through October 23, 2023)

On June 30, 2023, the parties appeared before the Court for a status conference. Assistant United States Attorneys Joseph M. Tripi, Nicholas T. Cooper, and David J. Rudroff, and Department of Justice Trial Attorney Jordan Dickson appeared on behalf of the government; the defendants appeared personally and by attorneys Robert C. Singer and Parker MacKay for defendant Bongiovanni, and Steven Cohen, Eric Soehnlein, and Joseph LaTona for defendant Gerace.

At that time, the Court scheduled a trial date with jury selection scheduled for October 23, 2023, at 10 a.m. The Court further requested the parties submit a proposed order with

adjusted submission deadlines, and a briefing schedule for pending motions related to a gag order and for a determination of a conflict of interest.

On the basis of the representations of the parties, due to the substantial trial preparation that is underway and to accommodate the schedule for defense counsel for defendant Gerace, the Court scheduled a trial for October 23, 2023. With the consent of counsel for the defendants, the Court further excluded the time in this action from and including June 30, 2023, to and including October 23, 2023, as being in the interest of justice and not contrary to the interests of the public and the defendant in a speedy trial pursuant to Title 18, United States Code, Sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

Specifically, and for the reasons set forth above, the Court determines that the public's interest in conserving resources by maintaining continuity of counsel and effective assistance of trial outweighs the public's interest in a speedy trial. Furthermore, the defendants' interest in securing the effective assistance of counsel/continuity of counsel outweighs the interest of the defendant in a speedy trial.

JW
NOW, it is hereby

ORDERED, for the reasons set forth above, that the scheduled trial is hereby adjourned until October 23, 2023, and it is further

ORDERED that the time in this action from and including June 30, 2023 , to and including October 23, 2023 , is properly excluded from the time within which trial must commence, in accordance with the Speedy Trial Act, pursuant to Title 18, United States Code, Sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

The Court further finds that, as of October 23, 2023, zero days of Speedy Trial Act time will have elapsed in this action and 70 post-indictment days remain in the period within which trial must commence.

DATED: Buffalo, New York, July 25, 2023.


HONORABLE LAWRENCE J. VILARDO
United States District Judge